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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 2nd November, 1982:—

BILL No. 142 OF 1982

A Bill further to amend the Salary, Allowances and Pensions of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Second Amendment) Act, 1982.

Short
title.

30 of 1954.

2. In section 4 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), in sub-section (1),—

Amend-
ment of
section 4.

(a) in clause (a), for the words "third class", the words "second class" shall be substituted;

(b) in sub-clause (ii) of clause (c), for the words "at the rate of one rupee per kilometer", the words "at the rate of one rupee and thirty paise per kilometer or at such higher rate as may be prescribed by rules made under section 9 having regard to the highest rate allowed to a Central Government officer of the First Grade in respect of road journeys" shall be substituted.

3. In section 6B of the principal Act,—

(a) in clause (ii), for the words "third class", the words "first class" shall be substituted;

Amend-
ment of
section 6B.

(b) in clause (iii), after the words "every session", the words "and if such journey or any part thereof is performed by air, to an amount equal to the fare by air for such journey or part thereof" shall be inserted;

(c) in the proviso,—

(i) for the words "third class", wherever they occur, the words "first class" shall be substituted;

(ii) for the words "shall be deducted from the difference referred to in that clause.", the words "shall be adjusted against the difference referred to in that clause; so, however, that the member shall not be entitled to claim the balance of such first class fare left after such adjustment." shall be substituted.

Amend-
ment of
section 9.

4. In section 9 of the principal Act, in sub-section (3), after clause (c), the following clause shall be inserted, namely:—

"(cc) the rate at which road mileage shall be paid under sub-clause (ii) of clause (c) of sub-section (1) of section 4;"

STATEMENT OF OBJECTS AND REASONS

Keeping in view the recommendations of Joint Committee on Salaries and Allowances of Members of Parliament, and the demand made by the Members on the floor of the House, it is proposed to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954, with a view to provide the following additional facilities to the Members of Parliament:—

(i) Increase in the rate of Road Mileage.

(ii) One free First Class Railway Pass for one person to accompany the Member when he travels by rail instead of the lowest class now admissible.

(iii) Free air travel facility to the spouse, if any, of the Member from the usual place of residence of the Member to Delhi and back, once during every session.

2. The Bill seeks to achieve the above objects.

NEW DELHI;
The 22nd October, 1982.

BHISHMA NARAIN SINGH.

RECOMMENDATION OF THE VICE-PRESIDENT DISCHARGING
THE FUNCTIONS OF THE PRESIDENT UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. F. 4(10)/81-WS dated the 23rd October, 1982 from Shri H. K. L. Bhagat, Minister of State in the Ministry of Works and Housing and in the Department of Parliamentary Affairs to the Secretary, Lok Sabha.]

The Vice-President discharging the functions of the President having been informed of the subject matter of the proposed Salary, Allowances and Pension of Members of Parliament (Second Amendment) Bill, 1982, recommends for introduction in Lok Sabha under article 117(1) of the Constitution and for its consideration by Lok Sabha under article 117(3) of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend the principal Act to increase the rate of road mileage admissible to Members in respect of journeys performed by road from one rupee to one rupee and thirty paise. The clause also provides for the fixation, by rules, of a higher rate of road mileage.

2. Clause 3 of the Bill seeks to amend section 6B of the principal Act to provide for the following additional facilities:—

(i) one free First Class Railway Pass for one person to accompany the Member when he travels by rail instead of the lowest class now admissible;

(ii) free air travel facility to the spouse, if any, of the Member from the usual place of residence of the Member to Delhi and back, once during every session. (This is as an alternative to the existing facility to travel by rail in first class.)

3. The additional expenditure which would be involved, which will be of a recurring nature, is likely to be of the order of rupees seventy lakhs per year. The provisions of the Bill do not involve any other expenditure, whether of a recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to amend sub-clause (ii) of clause (c) of sub-section (1) of section 4 relating to the rate of road mileage in respect of road journeys performed by Members to provide that the rate shall be one rupee and thirty paise per kilometer or such higher rate as may be prescribed by rules made under section 9 having regard to the highest rate allowed to a Central Government officer of the First Grade in respect of road journeys. The delegation of power to make rules under the provision pertains to a matter of detail. Further, the provision itself spells out the guideline to which regard should be had in making the rules thereunder. The delegation of legislative power is, therefore, of a normal character.

AVTAR SINGH RIKHY,
Secretary.